

JS447 U.S. PTO

11/03/97

Paul D. Ponath

DIVISION-CONTINUATION PROGRAM APPLICATION UNDER 37 CFR 1.60 TRANSMITTAL FORM			ATTORNEY'S DOCKET NO. LKS94-05A2Z	
PRIOR DOCKET NUMBER LKS94-05A2	ANTICIPATED CLASSIFICATION OF THIS APPLICATION: CLASS 530	SUBCLASS 387.1/388.22	PRIOR APPLICATION: EXAMINER E. Rabin	ART UNIT 1816

To the Assistant Commissioner for Patents:

This is a request for filing a: ☐ continuation ☒ divisional application under 37 CFR 1.60, of pending prior application serial no. 08/720,565 filed on 09/30/96, which is a Continuation-in-Part of prior International Application PCT/US96/00608, filed 01/19/96; which is a Continuation-in-Part of prior application U.S.S.N. 08/375,199, filed 01/19/95.

of Craig J. Gerard, Norma P. Gerard, Charles R. Mackay, Paul D. Ponath,
Theodore W. Post and Shixin Qin

for G PROTEIN-COUPLED RECEPTOR GENE CCR3 AND ANTAGONISTS THEREOF

All of the above applications are incorporated herein by reference in their entirety.

- ☒ Enclosed is a copy of the latest inventor signed prior application, including the oath or declaration as originally filed. I hereby verify that the attached papers are a true copy of the latest inventor signed prior application serial no. 08/720,565 as originally filed on September 30 1996, and further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: November 3, 1997
 EXPRESS MAIL LABEL NO. EM080924642US

2. The filing fee has been calculated on the claims

- a. ☐ as filed in the instant application.
- b. ☒ remaining after the entrance of the Preliminary Amendment.

(Col. 1)		(Col. 2)	SMALL ENTITY		OTHER THAN A SMALL ENTITY	
FOR	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
BASIC FEE	\$ 395	\$ 790
TOTAL CLAIMS	21- 20 =	* 1	X \$11=	\$	X \$22=	\$ 22
INDEP CLAIMS	6- 3 =	** 3	X \$41=	\$	X \$82=	\$ 246
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			+ \$135=	\$	+ \$270=	\$
*not fewer than 20 **not fewer than 3			Assignment Fee	\$	Assignment Fee	\$
			Total:	\$	Total:	\$1058

3. ☐ A Verified Statement of Small Entity Status was filed in the prior application on _____.
4. ☐ A Verified Statement of Small Entity Status is enclosed.
5. ☒ Cancel in this application original claims 1-37 and 40-48 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
6. ☐ This application is being filed by fewer than all the inventors named in the prior application in order to correct inventorship. In accordance with 37 CFR 1.60(b), the Commissioner is requested to delete the name(s) of the following person(s) who are not inventors of the invention being claimed in this application:
7. ☒ Amend the specification as follows:

- a. ☐ Insert the following paragraph before the first line of the specification:

Related Application

This application is a

☐ continuation ☐ division ☐ continuation-in-part
 of co-pending application Serial No. _____ filed _____,
 which is incorporated herein by reference in its entirety.

- b. ☒ Replace the paragraph after "Related Applications" with the following:

This application is a ☐ continuation ☒ division of co-pending application Serial No. 08/720,565 filed September 30, 1996 which is a continuation-in-part of International Application

PCT/US96/00608, (designating the United States), with an International filing date of January 19, 1996, which a continuation-in-part of U.S.

Serial No. 08/375,199, filed January 19, 1995.

All of the above applications are incorporated herein by reference in their entirety.

8. ☒ Enclosed are the following:

- a. ☒ Informal drawings as originally filed.
b. ☐ Formal drawings as originally filed.
c. ☐ New formal drawings.

9. ☐ Priority of application serial no. _____ filed on _____ in _____ is claimed under 35 U.S.C. 119.
(country)

☐ The certified copy has been filed in prior application serial no. _____, filed _____.

10. ☒ The prior application is assigned of record to
Brigham and Women's Hospital, Reel 8471, Frame 0353
Children's Medical Center Corp., Reel 8339 Frame 0757
LeukoSite, Inc., Reel 8339 Frame 0970

11. ☒ A preliminary amendment is enclosed.

12. ☒ Also enclosed a Substitute Sequence Listing in Paper and CRF, Statement Under 1.825(a),(b)

13. ☒ The power of attorney in the prior application is to
David E. Brook, Reg. No. 22,592; James M. Smith, Reg. No. 28,043; Leo R. Reynolds Reg. No. 20,884; Richard A. Wise, Reg. No. 18,041; Patricia Granahan, Reg. No. 32,227; Mary Lou Wakimura, Reg. No. 31,804; Thomas O. Hoover, Reg. No. 32,470; Alice O. Carroll, Reg. No. 33,542; N. Scott Pierce, Reg. No. 34,900; and Helen E. Wendler, Reg. No. 37,964

- a. ☒ The power appears in the original papers in the prior application.
b. ☐ An associate power of attorney to _____
_____ was filed in the prior application on _____.
_____ is enclosed herewith.
c. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

14. ☒ Address all future communications to:

David E. Brook, Esq.

Hamilton, Brook, Smith & Reynolds, P.C.

2 Militia Drive

Lexington, MA 02173-4799

15. ☐ Please charge my Deposit Account No. 08-0380 in the amount of \$ _____.
A copy of this letter is enclosed.

16. ☒ A check in the amount of \$ 1,058.00 to cover the filing fee is enclosed.

17. ☒ Authorization is hereby granted to charge payment of any additional fees associated with this communication, including any fees under 37 CFR 1.16 or under 37 CFR 1.17, or credit any overpayment to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

Helen E. Wendler

By: Helen E. Wendler

Registration No. 37,964

Attorney for Applicant(s)

Telephone (781) 861-6240

Facsimile (781) 861-9540

November 3, 1998
Dated: _____
Two Militia Drive
Lexington, MA 02173

- ☒ Attorney or Agent of Record
☐ Filed under Rule §1.34(a)